

MANDATE

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

N.Y.S.D. Case #
15-cv-9689(JGK)

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 4th day of May, two thousand and eighteen.

Before: Rosemary S. Pooler,
Richard C. Wesley,
Peter W. Hall,
Circuit Judges,

Alan Harry, Levante Capital, LLC, Public Utility District No. 1 of Clark County, Washington, DBA Clark Public Utilities, C&C Trading, LLC,

Plaintiffs-Appellants,

v.

Total Gas & Power North America, Inc., Total S.A.,
Total Gas & Power Limited,

Defendants-Appellees

The appeal in the above captioned case from a judgment of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the judgment of the district court is AFFIRMED as modified by this Court's opinion.

For the Court:
Catherine O'Hagan Wolfe,
Clerk of Court



A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit




MANDATE ISSUED ON 05/25/2018

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JUDGMENT
Docket No. 17-1199